

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1022 – SB 943

April 5, 2011

**SUMMARY OF AMENDMENTS (004749, 005088):** Removes Greene County from the list of counties exempt from the transfer of probate jurisdiction from the County Clerk to the Clerk and Master. Requires the Clerk and Master of Greene County, upon notice, to enter an order of dismissal without prejudice of probate cases in which no order of disposition has been entered; the case has been open for at least 18 months or such period of time that disposition could have occurred; and administration of the estate remains incomplete. Extends the time period during which beneficiaries of property may file certain disclaimers with the county register.

FISCAL IMPACT OF CORRECTED FISCAL NOTE:

Increase Local Expenditures - \$20,000/One-Time\*  
\$36,800/Recurring\*

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

**Unchanged from corrected fiscal note.**

Assumptions applied to amendments:

- If Greene County's exemption is removed, probate jurisdiction will be transferred from the Greene County Clerk to the Greene County Clerk and Master.
- According to the Greene County Clerk and Master, one-time startup costs include computer support totaling \$14,892 (\$13,557 for document imaging software, \$885 for a computer workstation, and \$450 for training) and initial office set-up costs totaling \$5,000 (office equipment, dedicated phone line, and storage units) resulting in an estimated one-time increase in local expenditures of \$19,892 (\$14,892 + \$5,000).
- According to the Greene County Clerk, the Greene County Commission could transfer one full-time position and related office supplies budget from the clerk's office to the clerk and master's office.
- According to the Greene County Clerk and Master, one additional full-time position (\$20,000 salary and \$6,800 benefits) and one part-time position (\$10,000) are necessary to fulfill the statutory requirement imposed on probate clerks. Estimated recurring local government expenditures are \$36,800 (\$20,000 + \$6,800 + \$10,000).
- Extending the time period for beneficiaries of property to file certain disclaimers will result in a not significant impact to the state.

HB 1022 – SB 943

\*Article II, Section 24 of the Tennessee Constitution provides that: *No law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/jdb